

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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SARA AND JOSEPH HARMON,  
Plaintiffs,

CASE NO. 18-CV-209-JPS

v.

CITY OF RACINE, SGT. RYAN  
COMSTOCK, INV. CHAD STILLMAN,  
INV. DONALD NUTTALL,  
SGT. ROBERT THILLEMANN,  
in their individual capacities,  
Defendants.

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**DECLARATION OF GARRETT A. SOBERALSKI IN SUPPORT OF ALL  
DEFENDANTS' UNOPPOSED CIV. L.R. 7(h) EXPEDITED NON-DISPOSITIVE  
MOTION TO SEAL CERTAIN DOCUMENTS ALREADY FILED WITH THE COURT**

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Pursuant to 28 U.S.C. § 1746, Garrett A. Soberalski declares as follows:

1. I am an attorney at Meissner Tierney Fisher & Nichols S.C., and co-counsel for Defendants City of Racine, Ryan Comstock, Chad Stillman, Donald Nuttall, and Robert Thillemann. The following Declaration is based on my personal knowledge.

2. On June 11, 2018, Plaintiffs' counsel informed Defendants' counsel they wished to file a First Amended Complaint, and included a request that Defendants identify any concerns with confidentiality. (*See* Ex. E to Declaration of Andrea Farrell, ECF No. 26-5.) Defendants agreed to consent in writing to the filing of the proposed First Amended Complaint. (*See id.*)

3. Based on the communications with Plaintiffs' counsel, I incorrectly assumed that Plaintiffs would no longer file the documents attached to the June 11 e-mail if Defendants provided their written consent, and instead expected the parties to file some form of stipulation

informing the Court of the Defendants' written consent and seeking approval of the parties' agreement to extend the Defendants' response deadline to 21 days. (*See Id.*)

4. Due to my incorrect assumption, Defendants assumed confidentiality did not need to be addressed right away, and I did not raise any confidentiality issues in the June 12, 2018 e-mail giving Defendants' written consent to the First Amended Complaint. (*See* ECF No. 26-5.)

5. Pursuant to Civ. L.R. 79(d)(4), I certify that the parties conferred in good faith over e-mails sent between June 14, 2018 and June 19, 2018, (*see* Declaration of Nhu Arn, Ex. A), to limit the scope of the documents or materials subject to sealing under the Defendants' Motion to Seal.

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed this 21<sup>st</sup> day of June 2018 in Milwaukee, Wisconsin.

s/Garrett A. Soberalski  
Garrett A. Soberalski